

**UNITED STATES DISTRICT COURT****District of New Mexico**UNITED STATES OF AMERICA  
V.**Omar Silva-Pena****Judgment in a Criminal Case**  
(For **Revocation** of Probation or Supervised Release)Case Number: **2:10CR02173-001JB**USM Number: **68420-180**Defense Attorney: **Jean McCray, Appointed**

THE DEFENDANT:

- ☒ admitted guilt to violations of condition(s) **MC** of the term of supervision.
- ☐ was found in violation of condition(s) after denial of guilt.

The defendant is adjudicated guilty of these violations:

<i><b>Violation Number</b></i>	<i><b>Nature of Violation</b></i>	<i><b>Violation Ended</b></i>
1	Mandatory Condition - "The defendant shall not commit another federal, state, or local crime."	03/01/10

The defendant is sentenced as provided in pages 1 through 2 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has not violated condition(s) and is discharged as to such violation(s).

IT IS FURTHER ORDERED that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

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 Defendant's Soc. Sec. No.

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**10/17/1983**


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 Defendant's Date of Birth

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**5215 Col Dale C.P. 31050**


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**Cuauhtemoc, Chih. MX**


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 Defendant's Residence Address

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 Defendant's Mailing Address

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 County of Residence

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**August 3, 2010**


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 Date of Imposition of Judgment

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**/s/ James O. Browning**


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 Signature of Judge

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**Honorable James O. Browning**  
**United States District Judge**


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 Name and Title of Judge

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**August 26, 2010**


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 Date Signed

Defendant: **Omar Silva-Pena**  
Case Number: **2:10CR02173-001JB**

## IMPRISONMENT

The defendant is committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of **4 months** .

**Said term shall run concurrently to the District of New Mexico, Case No. 2:10CR02163-001JB.**

**Although advisory, the Court has considered the Guidelines and, in arriving at its sentence, has taken account of the Guidelines with other sentencing goals. Specifically, the Court has considered the Guidelines` sentencing range established for the applicable category of offense committed by the applicable category of Defendant. The Court believes that the Guidelines` punishment is appropriate for this sort of offense. Therefore, the sentence in this judgment is consistent with a guideline sentence. The Court has considered the kind of sentence and range established by the Guidelines. The Court believes that a sentence of 4 months reflects the seriousness of the offense, promotes respect for the law, provides just punishment, affords adequate deterrence, protects the public and effectively provides the Defendant with needed education or vocational training and medical care, and otherwise fully reflects each of the factors embodied in 18 U.S.C. Section 3553(a). The Court also believes the sentence is reasonable. The Court believes the sentence is sufficient, but not greater than necessary, to comply with the purposes set forth in the Sentencing Reform Act.**

- ☐ The court makes these recommendations to the Bureau of Prisons:
- ☒ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant must surrender to the United States Marshal for this district:
- ☐ at on
- ☐ as notified by the United States Marshal.
- ☐ The defendant must surrender for service of sentence at the institution designated by the Bureau of Prisons:
- ☐ before 2 p.m. on
- ☐ as notified by the United States Marshal
- ☐ as notified by the Probation or Pretrial Service Office.

## RETURN

I have executed this judgment by:

Defendant delivered on \_\_\_\_\_ to  
\_\_\_\_\_ at \_\_\_\_\_ with a Certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

\_\_\_\_\_  
Deputy United States Marshal